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ABSTRACT

Access to the news is sometimes denied journalists because they do not meet whatever definition of "reporter" is being used in a particular situation. This paper examines issues related to the identification of persons as reporters. Among the topics considered are ordinances authorizing the issuance of press cards to reporters; court cases involving press card and news access disputes between newspaper reporters and police or other agencies; and definitions of reporters set forth by state legislatures as part of "shield" laws protecting newspersons from revealing sources of information. The paper concludes by noting the vagueness of most definitions of reporters and the limitations of the definitions made by state legislatures. (GW)

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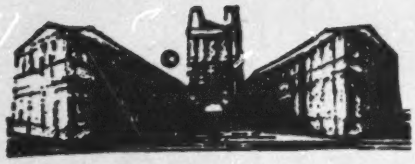

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FREEDOM OF INFORMATION CENTER REPORT NO. 384

WHEN IS A REPORTER NOT A REPORTER?

This report was written by Barbara F. Luebke, Ph.D. candidate at the University of Missouri School of Journalism.

Introduction

> It's a thrill as well as a privilege to carry that precious press card that is an admission ticket to a front row seat at every major event. . . .
>
> —Walter Cronkite[1]

Access by the press to the news is complicated by many factors, not the least of which are concerted efforts to limit or prohibit access. But even before particular press access matters can be dealt with, it would seem that members of the press must be defined. Who is a reporter? Who is to make such a determination? If a "non-legitimate" reporter can be defined, are there circumstances under which he can be denied access to the news — or certain aspects of it? Of course, if, as some courts have suggested, the press has no more right of access to events or records than an ordinary citizen, defining a reporter is irrelevant. But if there is a special privilege for the reporter in newsgathering, as other courts have hinted, then the need to define a reporter seems inescapable. To date, however, the matter has received little attention. Indeed, the media seem to eschew such a definition:

> Under the First Amendment. . . the right to speak, write and publish is guaranteed to everyone. There is no requirement for a person to establish his or her qualifications before speaking or writing on any subject. To do so would be to establish a quasi-licensing system which would be unconstitutional.[2]

And the courts have shied from a

> . . . discrimination between news gatherers and other persons. . . .An invitation to the government to grant a special privilege to a special class of "news gatherers" necessarily draws after it an invitation to the government to define the membership of that class. We doubt that all news writers would want the government to pass upon the qualifications of those seeking to enter their field.[3]

Still, with varying degrees of specificity, reporters have been and are defined — generally by persons outside the media. "(T)he government already defines categories of journalists who may receive press passes, attend legislative sessions, and gain access to some official records."[4] This paper explores those definitions.

This Card Entitles the Bearer. . .

Walter Cronkite's assessment of the press card, most media persons would agree, was overly exuberant; his was a philosophical statement about his profession, not a statement of fact. Although journalists at all levels may carry press cards,[5] the cards are basically of concern only to reporters in large cities. Elsewhere, the press card is "merely the status symbol of the beginning reporter," losing "luster when the news reporter learns that it seldom, if ever, leaves his wallet."[6] Yet the cards are perhaps the best known — and most widely accepted — means of identifying reporters.[7] The value of, and necessity for, press cards varies from locality to locality. For the most part, however,

> (t)he passes enable reporters to get closer to the operations of police agencies than normally would be permitted to the public at large. By displaying the proper pass, the newsman may be allowed inside police cordons at the scenes of disasters, accidents or crimes. The same card usually allows him past firemen's blockades.[8]

Press cards are not valuable only in these situations. "The card sometimes may serve as a ticket to press conferences held by police officials when those conferences are closed to the public."[9] For example, the Solidarity International Press Service said (New York **Times**, 3-30-75) it was banned from a press conference in 1975 when a New York City mayoral aide told them, "It's our policy that only reporters with police cards may attend." In June 1976 a U.S. district court judge in Oklahoma was going to require special press passes costing one dollar for the Home Stake Production Co. trial.[10] And press cards are not of concern just on the local level. Several years ago, Richard L. Strout, longtime Washington correspondent for the **Christian Science Monitor**, was blacklisted by the Standing Committee of Correspondents,

Summary: Access to the news sometimes is denied a journalist because he does not seem to meet whatever definition of "reporter" is being used as a standard in a particular situation. This report explores the various criteria that have been used to identify a member of the press.

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which controls accreditation of reporters to congressional press galleries.[11]

In the search for the definition of a reporter, then, one naturally might turn to the persons issuing, and/or the ordinances authorizing, press cards. The situations that have received publicity in the last several years, however, indicate the general vagueness or non-existence of any such definition.

—In a commentary column on the difficulty of setting out "rules on who is a bona fide reporter and who isn't," one writer noted (Des Moines Register, 12-20-74), "One rule has usually been that the reporter's publication has to be available to the general public."

—In New Mexico, the state press association once explained that it accepted a system of state police-issued press cards so "legitimate newsmen may be easily identified by officers of the law during times of riot, strife or emergency."[12]

—Arnold L. Zucker, chairman of the New Jersey Public Information Committee, explained his press card policy this way: "We try to make sure only bona-fide, full-time, working journalists get cards."[13]

—In San Francisco, a city ordinance authorizes the police chief

> to issue press cards to newsgatherers, reporters, and photographers in the actual and bona fide employment of a newspaper or periodical, for the purpose of securing their admittance within all police lines.[14]

—Paul Shinoff, working as a film cameraman in San Francisco in 1968-69, was denied a press card because, police said, he was "an incidental reporter."[15]

—In 1975, Mike Manning, news editor of **Entertainment West**, a gay biweekly in Los Angeles, was denied press cards by the police department, the sheriff's department and the city council. He was told that since his paper was not a daily and he did not regularly cover the police beat, he was prohibited from having a card.

—Even a journalist examining the pros and cons of press cards fell into the vagueness trap, writing, "The known cases where legitimate reporters have been denied access to news because they did not have a press card are very few."[16]

So, the questions remain: Who is legitimate? Who is a working journalist? Who is bona fide? Is it to be only a member of the mass media, which the labels might be construed to imply? Unfortunately for this analysis, no "scorecard" exists by which to tabulate who has been denied press cards and for whom they worked. Attempting to assemble a comprehensive list of instances where press cards have been denied or revoked is not only outside the scope of this paper, but probably impossible. Reported incidents indicate only that no "class" of reporter is immune from press card — and thus identity — problems. A few such cases have made it into the courts, and the decisions that have emerged are the next natural place to look for an answer to the question, Who is a reporter?

A Right to Define Reporters

The right of the police and/or other agencies to issue the identifying press cards has been upheld consistently in the courts, although again and again the courts have been forced to chide the issuers for the manner in which recipients were determined. The tendency has been toward arbitrary decisions, often based on no written regulations.

In the first case where the authority of the police to accredit (define) reporters was challenged, the staff of the "underground" newspaper **EXTRA** sued officials in Providence, R.I.[17] The newspaper challenged that city's newsboy licensing ordinance and its denial of press credentials by the public safety commissioner. In a supplemental opinion regarding the press passes, issued on Feb. 25, 1970, the U.S. district court in Providence ruled that passes are "a reasoned police regulation related to the state's interest in safety at a time and place of public crisis."[18] In balancing the interests of society against First Amendment rights of **EXTRA** staffers, the court found "the custom or usage regarding the issuance of press passes in the City of Providence is declared not to be violative of the first. . . amendment."[19] Further, this court found that it is "not necessary that there be a written regulation, so long as there is a uniform practice under the broad general authorization."[20] In Providence, then, with no ordinance regulating the issuing of press cards, the public safety commissioner was given free rein to define reporters along the unwritten guidelines he had established: verification of identity and employment by a publication.[21]

The next press card case to make it to the courts has been the only one to be appealed all the way to the U.S. Supreme Court, where certiorari was denied without comment.[22] The constitutionality of Los Angeles Police Department policy was upheld.

In January 1967 staff members of the Los Angeles **Free Press** applied to the police department and the sheriff's department for press passes. In the city, an ordinance granted to the Board of Police Commissioners the right to issue press passes. In the county, the sheriff issued them. The basic standard of eligibility in both cases was regular coverage of police news and newsgathering involving the departments; passes were issued only to individuals, not to the corporations for which they might work.[23]

> The investigation of each applicant eliminated from eligibility persons with a criminal background. The screening process necessitated some review of the past news coverage performed by the applicant. It was on this point that the **Free Press** later argued the motivation of the police. The paper's staff members said they believed that the passes were denied because the police disliked the news and advertising content that was found in their investigation of the paper.[24]

When its requests were denied, the paper filed for a writ of mandamus and injunction in the Superior Court of Los Angeles to require issuance of the passes. When this was denied, the **Free Press** appealed, and the district court of appeals held that the paper's status as a weekly newspaper did not give its publishers First Amendment rights of access to crime and disaster scenes greater than that of the public.[25] The court commented:

> Restrictions on the right of access to particular places at particular times are consistent with other reasonable restrictions on liberty based upon the police power and these restrictions remain valid even though the ability of the press to gather news and express views on a particular subject may be incidentally hampered.[26]

And while **Free Press** staffers claimed their Fifth Amendment rights had been violated, the court said the manner in which the agencies chose to define reporters was reasonable.[27]

The so-called "underground" newspapers are well represented in press card cases, which should come as no surprise.[28] In late 1971, the U.S. District Court of Southern Iowa ruled that the

> Equal Protection and Due Process clauses bar the Iowa municipal police department from refusing to furnish a reporter from an "underground" newspaper press passes and access to police records made available to other members of the press.[29]

The publishers of the paper **CHALLENGE** had complained about lack of access to some police files and records that were open to other media persons. Officials said access to these "miscellaneous" police reports (not available to the public) was denied because **CHALLENGE** was not a "legitimate" or "established" newspaper.[30] The police department had no written policy defining what qualified one as a member of the "established" press.[31] In upholding the right of the police to define reporters, the court wrote:

> Whatever standard Defendants employ to license journalists who are to be admitted to sites of newsworthy events must be narrowly drawn, reasonable and definite and they must be publicly available. [32]

This court, perhaps more than any other, came close to saying outright that there is a way to define a reporter, although it declined to suggest what that way might be. The issue at hand, the court wrote, is the

> . . . right of a member of the media to have press passes for its representatives. This differs somewhat from the question of whether a particular individual is entitled to carry a press pass. Thus, it is not impossible for defendants to devise reasonable standards under which Quad-City, as a member of the press, will be entitled to press passes, but under which certain individuals on plaintiff's or any member's staff will not be eligible to carry a pass.[33]

Not all press card cases involve "underground" newspapers and their staff members. In July 1972 Clarke Watson applied for a press pass from the Colorado Press Association, whose policy was to forward applications to the Denver manager of safety. The safety manager had assumed the power to endorse the passes.[34] Watson was told that he would not be issued a card since he had a 1964 felony conviction for forgery; the safety manager said this was his policy. Watson filed suit, arguing that the First Amendment guaranteed him a right of access provided by the press card.[35] In October 1974 a district court judge upheld denial of the press card: "A reporter does not have an absolute unqualified right of access to news."[36] The judge also rejected Watson's claim that the safety manager had assumed undelegated authority to issue the passes. And in a sort of postscript at the end of his opinion, the judge wrote:

> We strongly suggest to the Manager of Safety that the policy of his office in regard to such qualifications and procedures be established by means of written regulations or outlines, and the role, if any, of the Colorado Press Association in channeling applications be spelled out.[37]

Watson did not appeal the ruling, but the press association decided to stop its practice of sending press card applications to the safety manager. Instead, it began automatically issuing passes to any person requesting one through a news media organization.[38]

Finally, in the most recent press card case to be decided in the courts,[39] the Secret Service was ordered "to devise and publicize narrow and specific standards for the issuance or denial" of applications for White House press credentials.[40] Once again, the court allowed that reasonable restrictions could be drawn covering who had access, but it reiterated that those standards had to be based on narrowly drawn guidelines. What was new in this case was that the plaintiffs, Thomas Forcade and Robert Sherrill, were accredited (defined) journalists in several respects when they were denied credentials by the Secret Service.

Forcade was national affairs reporter in Washington for the Alternative Press Syndicate, an international news service. He held press credentials from the District of Columbia police department and he was accredited as a reporter at the 1972 Democratic and Republican national conventions. Sherrill had been Washington correspondent for the **Nation** since 1965. He had been a member of the House and Senate periodical galleries since 1966.[41]

On May 28, 1971, Forcade applied to Nixon press secretary Ron Ziegler for a pass enabling him to attend White House press conferences and briefings. He was told in August of that year that his application could not be approved until he had become a member of the periodical galleries. He received those press passes in October. Sherrill had been denied White House press credentials in May 1966, and he was told the denial was continuous. Neither man got more than a minimal explanation as to why they could not get credentials.[42]

While no written regulations were in effect on the issuance of White House passes, the Secret Service said simply that the plaintiffs did not meet security clearance requirements. Drawing on FBI and Secret Service files, it was noted that Sherrill had been fined for assault and battery for hitting a Florida governor and that he had skipped bond in Texas on charges of hitting a school principal. Forcade, it was noted, had been arrested under another name for possession of LSD; the charges were dropped. He also had been arrested for burglary and flag desecration; and those charges had been dropped. He had tossed a pie at the obscenity commission chairman, and he was active in the Yippies, Zippies, SDS and other "radical" organizations.[43]

There was no contention by the plaintiffs that there cannot be reasonable restrictions on press access to the White House. And they did not argue that those restrictions could not be based on the issue of the safety of the President. What they did contend, however, was that the restrictions must be imposed in a non-discriminatory manner and must be based on narrowly drawn guidelines.[44] In agreeing, the court noted that protection of the President permits greater limitation than generally allowed, but the plaintiffs certainly were entitled to procedural due process.[45]

Thus it is, then, that at least in limited circumstances, particularly where public safety is involved, agencies such

as the police have the power to define reporters — although generally theirs has been a negative definition. What of situations where public safety is not involved? Three cases indicate a greater reluctance to embrace the notion that a reporter can be defined.

In Honolulu, reporter Richard Borreca of the **Star-Bulletin** repeatedly was refused entry to the mayor's press conferences after he wrote some stories critical of the city and of the mayor. He sued Mayor Frank Fasi and James Loomis, the mayor's administrative assistant and director of information. The court, in granting a preliminary injunction enjoining Fasi from preventing Borreca's attending press conferences on the same basis as other reporters, wrote:

> Requiring a newspaper's reporter to pass a subjective compatability-accuracy test as a condition precedent to the right of that reporter to gather news is no different in kind from requiring a newspaper to submit its proposed news stories for editing as a condition precedent to the right of that newspaper to have a reporter cover the news. Each is a form of censorship.[46]

Can an individual be denied recognition as a reporter because of the nature of his publication? In at least one circumstance, the court has said "no." In October 1973 the U.S. District Court for the District of Columbia ruled that "the Constitution requires that congressional press galleries remain available to all members of the working press, regardless of their affiliation."[47] Gilbert Thelen Jr. of **Consumer Reports** magazine had been denied credentials allowing him access to the periodical press galleries of the Senate and the House. The denial was made on the grounds that **Consumer Reports** was not "owned and operated independently of any industry, business, association, or institution."[48] Of the four types of congressional galleries, only the periodicals gallery was so closed to "advocacy" publications.[49] In handing down its opinion, the court noted (**Washington Post**, 10-12-73) that it was unconstitutional for the group to maintain "arbitrary and unnecessary regulations with a view to excluding from news sources representatives of publications whose ownership or ideas they consider objectionable."

In the third instance, the state of Alabama, in adopting a state ethics statute, sought to limit (define) reporters in this way: a section of the statute would have required economic disclosure from those covering state government "in any way" and "approval by the State ethics commission for a special press pass. . . ."[50] In a 2-1 decision, a federal district court declared that portion of the statute unconstitutional.

Where does this leave the search for a definition? For the time being, it is perhaps safe to conclude only that, as long as someone has the authority to deny a press card to an individual, it is implicitly assumed that a reporter can be defined. The components of that definition, however, remain unclear — in the realm of press cards at least. Such is not quite the case with shield statutes.

A Reporter Is. . .

If the courts have been reluctant to define reporters, state legislatures — at least five of them — have not hesitated to do so. (And there is a certain irony in the fact that while at least part of the media industry wants nothing to do with a definition, those who favor shield legislation have forced such definitions.) At this time, 18 states have adopted laws that protect newspersons from revealing sources of information — thus the term "shield" law. While all of these statutes refer to reporters, only five contain specific definitions of reporters.

—Illinois' law is both specific and general in its wording, particularly in explaining a news medium:

> "reporter" means any person regularly engaged in the business of collecting, writing, or editing news for publication through a news medium; and includes any person who was a reporter at the time the information sought was procured or obtained.
>
> "news medium" means any newspaper or other periodical issued at regular intervals and having a paid general circulation; a news service; a radio station; a television station; a community antenna television service; and, any person or corporation engaged in the making of news reels or other motion picture news for public showing.[51]

On first reading, this definition would seem to include other than mass media, but one needs further interpretation of "regular intervals" and "paid general circulation," as these terms apply to newspapers and periodicals. To define a radio station, on the other hand, and thus its employee as a reporter, requires one only to make note of the existence of a license, which all stations must have.

—Writers of the Indiana statute attempted to circumvent need for further interpretation of what it meant by a reporter:

> Any person connected with a weekly, semiweekly, triweekly or daily newspaper that conforms to postal regulations, which shall have been published for five (5) consecutive years in the same city or town and which has a paid circulation of two per cent (2%) of the population of the county in which it is published, or a recognized press association, as a bona fide owner, editorial or reportorial employee, who receives his or her principal income from legitimate gathering, writing, editing and interpretation of news, and any person connected with a commercially licensed radio or television station as owner, official, or as an editorial or reportorial employee who receives his or her principal income from legitimate gathering, writing, editing, interpreting, announcing or broadcasting of news. . . .[52]

In Indiana, then, at least when it comes to "shield" matters, reporters on new publications, on very small publications and on most "underground" newspapers are not to be considered reporters. And there still is left open for interpretation the phrase "legitimate gathering. . . of news."

—In Louisiana, the definitions used are general, though not as much so as in Illinois.

> "Reporters" shall mean any person regularly engaged in the business of collecting, writing or editing news for publication through a news medium. . . ."News Media" shall include (a) Any newspaper or other periodical issued at regular intervals and having a paid general circulation; (b) Press associations; (c) Wire service; (d) Radio;

(e) Television; and (f) Persons or corporations engaged in the making of news reels or other motion picture news for public showing.[53]

—The New Mexico statute more or less parrots the one above:

As used in this section: (1) "reporter" means any person regularly engaged in the business of collecting, writing, or editing news for publication through a news medium, and includes any person who was a reporter at the time the information was obtained but is no longer acting as a reporter; and (2) "news media" means any newspaper or other periodical issued at regular intervals and having a paid general circulation; a press association; a wire service; a radio station or a television station.[54]

—The New York statute defines separately newspaper, magazine, news agency, press association, wire service, professional journalist, newscaster and news. Of most use here are these:

"Professional journalist" shall mean one who, for gain or livelihood, is engaged in gathering, preparing or editing of news for a newspaper, magazine, news agency, press association or wire service.[55]

The term "newscaster" covers persons who practice the above for the electronic media. In the print media, these definitions are used:

"Newspaper" shall mean a paper that is printed and distributed ordinarily not less frequently than once a week, and has done so for at least one year, and that contains news, articles of opinion (as editorials), features, advertising or other matter regarded as of current interest, has a paid circulation and has been entered at a United States post office as second-class matter.

"Magazine" shall mean a publication containing news which is published and distributed periodically and has done so for at least one year, has a paid circulation and has been entered at a United States post office as second-class matter.[56]

A Final Thought

It was not the purpose of this paper to debate the merits of a reporter definition, but rather to explore the definitions that exist and their legal history, if any. Press cards came to mind immediately, but proved of little help. Any definition utilized in their issuance is incidental. In no instance was this author able to document a situation in which an agency in effect said, "We will issue press credentials to reporters who are defined as. . . ." Regardless of whether or not a reporter is ever asked to present a press card to cover the news, it seems to make sense for him to have one. In some situations, it may mean nothing, and where the issue is access, other recourse may be available. In other situations, a press card will define its possessor as a reporter or newsperson, for whatever that may be worth.

The "shield" laws, where they do set down definitions, are of concern because they seem to exclude the same "kinds" of reporters who in the past were defined as "non-legitimate" and, thus, denied press cards. Where reporters are defined, it tends to be in traditional terms. And that should disturb First Amendment purists.

FOOTNOTES

1. "Real Press Restrictions Confront Student Editors," **Editor and Publisher**, March 30, 1974, p. 12.
2. "A Demand for Credentials," **Editor and Publisher**, Aug. 18, 1973, p. 6.
3. **State of Oregon v. Buchanan**, 436 P.2d 731 (1968).
4. Geneva Kay Loveland, "Newsgathering: Second-Class Right Among First Amendment Freedoms," **Texas Law Review**, November, 1975, p. 1473.
5. Although many newspapers and radio and television stations provide employees with "press cards" identifying them as employees, the term "press card" as used here refers to identifying cards issued by an outside agency.
6. Alan Kent Leahigh, "Press Passes: Patent or Privilege," **Freedom of Information Center Report No. 262**, June, 1971, pp. 1-2.
7. That the cards are taken seriously is well illustrated by a 1971 incident in which staffers on the Madison (Wis.) **Capitol Times** discarded their passes. They said the passes (a) made reporters "suspect as police undercover agents"; (b) were "licenses" revokable by the chief; and (c) often were disregarded by police. **Straus Editor's Report**, No. 104, July 12, 1971.
8. Leahigh, "Press Passes," p. 1.
9. Ibid.
10. "Judge Requires New Press Passes, Asks Reporters to Avoid Hearsay," **Press Censorship Newsletter**, September-October, 1976, p. 30. As a result of protests by reporters, the judge withdrew the special press pass requirement.
11. "Strout's Card Revoked by Standing Committee," **Editor and Publisher**, Feb. 2, 1974, p. 40. Strout was blacklisted because of a policy disagreement with the committee. Although he was not banned from the galleries, he said that without a membership card he could not get past the Capitol Police who guard committee rooms. And if the President were in the Capitol, he could not even enter the building.
12. "Press Card System Tried in New Mexico," **Editor and Publisher**, Jan. 8, 1972, p. 18.
13. "N.J. Press Card Is Reporter's Pass. . . ," **The Jersey Publisher**, July, 1976, p. 6.
14. Daniel C. Carson, "For Sale: Press Cards," **feed-back**, Winter, 1976, p. 12.
15. Ibid., p. 7.
16. Leahigh, "Press Passes," p. 7.
17. **Strasser v. Doorley**, 309 F. Supp. 716 (1970); 432 F.2d 567 (1970).
18. 309 F.Supp. at 730.
19. Ibid. at 731.
20. Ibid. at 730.
21. Ibid. at 716 and 729.
22. **The Los Angeles Free Press, Inc. v. The City of Los Angeles**, 88 California Reporter 605 (1970); cert. denied 401 U.S. 982 (1971).
23. Ibid.
24. Leahigh, "Press Passes," p. 4.
25. 88 California Reporter at 606.
26. Quoted in Leahigh, "Press Passes," p. 5.
27. Ibid.
28. With the end of the era of the "underground," it may be that the best opportunity for forcing a definition of reporter from the courts has passed.
29. **Quad-City Community News Service, Inc. v. Jebens**, case summary in U.S. Law Week, Nov. 30, 1971, p. 2315.
30. Ibid.
31. **Quad-City Community News Service, Inc. v. Jebens**, 334 F. Supp. 8 (1971).
32. Ibid. at 17.
33. **Quad-City** case summary in **U.S. Law Week**, p. 2316.
34. "Colorado Press Assn Issues Own Press Passes After Judge Upholds Issuing Power by City Official," **Press Censorship Newsletter**, September-October, 1976, p. 98.
35. Ibid.
36. Ibid.
37. **Watson v. Cronin**, 384 F.Supp. 660 (1974).
38. "Colorado Press Assn Issues Own Press Passes," p. 98.
39. **Forcade v. Knight**, 416 F.Supp. 1025 (1976).
40. Ibid. at 1040.
41. Ibid. at 1027.
42. Ibid. at 1028.
43. Ibid. at 1028-31.
44. Ibid. at 1035.
45. Ibid. at 1039-40.
46. **Borreca v. Fasi**, 369 F.Supp. 909 (1974).
47. **Consumers Union v. Periodical Correspondents' Association**, 365 F.Supp. 36 (1973).
48. Ibid. at 22.

49. Ibid.
50. Lewis v. Baxley, 368 F.Supp. 768 (1973).
51. Illinois Public Law 71:1623, cited in The Twentieth Century Fund, Press Freedoms Under Pressure (New York: The Twentieth Century Fund, 1972), p. 125.
52. Indiana Stat. Ann. 2-1733, cited in Press Freedoms, p. 126.
53. Louisiana Rev. Stat. title 45 Sec. 1451, cited in Press Freedoms, p. 126.
54. New Mexico Stat. Ann. 20-1-12.1, cited in Press Freedoms, p. 128.
55. New York Civ. Rights Law Sec. 79-h, cited in Press Freedoms, p. 129.
56. Ibid.